

REMARKS

Claims 9-48 are in this application and are presented for reconsideration. The claims have been amended to improve the style of this application.

Applicant thanks the Examiner for the careful reading of the application, for pointing out discrepancies and for providing suggestions.

It is Applicant's position that the claims 9-48 as amended are now clear and definite. Applicant respectfully makes assertions for overcoming the rejections of the outstanding Office Action dated October 21, 2004 in the following paragraphs.

INFORMATION DISCLOSURE STATEMENT

The Office Action stated that the Information Disclosure Statement submitted on December 4, 2003 was not considered by the Examiner because the Patent Number does not match with the name of the Patentee.

Applicant states that the U.S. Patent Number should actually read U.S. Patent No. 723,717 instead of U.S. Patent No. 728,717. Applicant also includes herewith a Form 1449 which correctly states the Patent Number. Applicant respectfully requests that the Examiner consider the correct patent as now submitted.

CLAIM REJECTIONS - 35 U.S.C. §112

Claims 9-48 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Specifically, the Office Action pointed out a few specific examples of indefinite language used throughout the claims and suggested an extensive revision to overcome the rejection.

In response, Applicant has thoroughly gone over and revised the claim language to conform with the U.S. practice.

CLAIM REJECTIONS - 35 U.S.C. §102

Claims 9, 10, 13, 17, 18, 21, 25, 26, 29, 33, 34, 37, 41, 42, and 45 have been rejected under 35 U.S.C. §102(b) as being anticipated by Bogner et al. (U.S. Patent No. 3,428,926, "Bogner '926", hereinafter).

Bogner '926 discloses a super conductor composed of a plurality of wires of high-field super conductor material respectively covered with coatings of ultra pure aluminum and a plurality of additional wires also of ultra pure aluminum. The wires of the cable are enclosed within an insulating sheath of aluminum oxide. The ultra pure aluminum wires and the ultra pure aluminum coatings of the high-field super conductor wires are all welded to each other by being cold pressed against each other.

The prior art as a whole including the Bogner '926 reference neither teaches nor suggests the present invention as claimed. Specifically, Applicant has reviewed the Bogner '926 reference and nowhere in the Bogner '926 reference does it teach a wire cable that includes a

double bundle of electrical conductors where one bundle is made up of two or more metals or two or more single distinct alloys and the other bundle of electrical conductors is made up of a plurality of wires of a single metal or a single distinct alloy, both of which are covered by an insulator.

Instead, the Bogner '926 reference, according to its two Figures (Figure 1 and Figure 2), only discloses a bundle comprising of plurality of wires. Nowhere does it disclose at least two bundles having at least two different characteristics. Therefore, it is Applicant's position that claim 9 and its dependent claims 10, and 13 are not anticipated and thus patentable.

The independent claim 17 also discloses an invention that is novel and unobvious in view of the Bogner '926 reference. Specifically, a multiple bundle of wire cables forming a larger cable where at least in one bundle of electrical conductors, a plurality of electric wires is made up of two or more metals or two or more single distinct alloys and another bundle of at least a single electric wire made by a single metal or a single distinct alloy which are covered by an insulator is claimed in the independent claim 17. Such multi faceted characteristic of a multiple bundle of wires in one larger cable is not disclosed nor suggested by a Bogner '926 reference. Therefore, claim 17 and its dependent claims 18 and 21 are not suggested nor anticipated by the prior art reference and thus patentable.

Furthermore, it is Applicant's position that the independent claim 25 is not anticipated nor suggested by the Bogner '926 reference. Claim 25 discloses a wire cable with two bundles of electrical conductors: One bundle comprises a plurality of slim electric wires made by two or more metals or two or more single distinct alloys. The other bundle comprises at least one

slim electric wire made by a single metal or a single distinct alloy. This multi faceted characteristic of the multiple bundles in a wire cable is not disclosed nor suggested by the prior art reference and is thus patentable. In addition, the claims 26 and 29 depend on this independent claim and thus claims 26 and 29 are also patentable.

Claim 33 is also patentable over the Bogner '926 reference and is not anticipated nor suggested by the prior art reference because it discloses a wire cable of at least two bundles of electrical conductors with different characteristics. One bundle includes a plurality of slim electric wires made by two or more metals or two or more single distinct alloys and the other bundle is made up of a plurality of slim electric wires including a combination of two or more metals or two or more single distinct alloys and at least a slim electric wire made by a single metal or a single distinct alloy. Such differing characteristics of at least two bundles of wire cable is not disclosed nor suggested by the prior art reference of the Bogner '926 reference. Therefore, claim 33 along with its dependent claims 34 and 37 are patentable over the Bogner '926 reference.

The independent claim 41 discloses a larger wire cable formed of three different kinds of single-bundled wire cables with a first bundle having a plurality of slim electric wires made by two or more metals or two or more single distinct alloys. The second bundle of electrical conductors are made up of a plurality of slim electric wires made by two or more metals or two or more single distinct alloys and a plurality of slim electric wires made by a single metal or a single distinct alloy. The third bundle is made up of a plurality of slim electric wires made by a single metal or a single distinct alloy. The Bogner '926 reference does not suggest nor does

it anticipate such characteristics of multi bundled cable formed by at least three different kinds as provided in the present invention as claimed. Therefore, it is Applicant's position that the claim 41 and its dependent claims 42 and 45 are not anticipated nor suggested and are thus patentable over the Bogner '926 reference.

CLAIM REJECTIONS - 35 U.S.C. §103

Claims 11, 12, 19, 20, 27, 28, 35, 36, 43, and 44 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bogner '926. The Office Action states that the Bogner '926 does not specifically disclose the slim wires being arranged in parallel or being wound to form a bundle. However, the Office Action also states that it would have been obvious to one skilled in the art, to arrange the slim wires of Bogner et al. '926 in parallel or to wind them together to form a bundle.

It is Applicant's position that the Bogner '926 reference by itself does not anticipated nor does it suggest the claims 11, 12, 19, 20, 27, 28, 35, 36, 43 and 44 as presented. As stated above, nowhere in the Bogner '926 reference does it disclose at least two bundles having different characteristics distinct from each other. Furthermore, the Bogner '926 reference does not provide any suggestion or teaching which would lead the person of ordinary skill in the art to provide the wires to be arranged in parallel or to wind them together to form a bundle. Therefore, the Bogner '926 reference provides no teaching and no suggestion to a person of ordinary skill in the art to provide the combination of the multiple bundles with different characteristics along with the set of bundles being either parallel or wound up with respect to

each other.

There must be some suggestion or teaching in the prior art as a whole which would lead the person of ordinary skill in the art to provide the combination as claimed. As the prior art as a whole fails to direct a person of ordinary skill in the art toward the claimed combination, the invention should be considered not anticipated, non-obvious and thus patentable.

Claims 14, 15, 22, 23, 30, 31, 38, 39, 46, and 47 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bogner '926 in view of Flick (U.S. Patent No. 6,498,300, "Flick '300", hereinafter).

The Flick '300 reference discloses an electrical single cable assembly including an electrical cable having opposing a first and a second end connected to a first and a second electrical connectors. The cable includes at least three wire members arranged in a non-interlaced configuration where at least one metallic conductor and a respective individual insulating layer is included for each wire member. Each of the metallic conductors, in turn may include at least one silver and copper at a purity of greater than about 90%. The overall insulating layer may surround the three wire members to retain them in a position without requiring braiding.

The Office Action states that the Bogner '926 reference does not disclose several single wire cables wound together to form a large wire cable but it would have been obvious to one skilled in the art to wound several wire cables by combining the Bogner '926 reference with the Flick '300 reference.

It is Applicant's position that the claims 14, 15, 22, 23, 30, 31, 38, 39, 46, and 47 are

not anticipated nor suggested by the combination of references including the Bogner '926 reference in view of the Flick '300 reference. Specifically, as noted above, the Bogner '926 reference fails to suggest and fails to disclose a wire cable having at least two different characteristics. Furthermore, Applicant has reviewed Flick '300 reference and nowhere in the Flick '300 reference does it suggest that any other of the three wire members (26a, 26b and 26c) have different characteristics from each other. Therefore, neither the Bogner '926 reference nor the Flick '300 reference disclose or suggest the present invention as claimed. In addition, there must be some suggestion or teaching in the prior art as a whole which would lead the person of ordinary skill in the art to combine the two reference of Flick '300 with Bogner '926 reference. As the prior art as a whole fails to direct the person of ordinary skill in the art to combine the references, the invention should be considered, not anticipated, and non-obvious.

Claims 16, 24, 32, 40 and 48 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bogner '926 in view of Voser (U.S. Patent No. 4,449,012 ("Voser '012", hereinafter).

Voser '012 reference discloses a telephone cable comprising two individual encased and stranded conductors, each consisting of a plurality of copper wires where the steel wires have been replaced with bundles of stretch-resistant synthetic fiber, e.g. aromatic polyamide fibers, to have the bundles of fibers shift toward the center of the conductor to prevent elongation.

It is Applicant's position that the claims 16, 24, 32, 40 and 48 are not anticipated nor

suggested by the combined references of the Bogner '926 reference in view of the Voser '012 reference. The Office Action states that the Bogner '926 reference fails to disclose the wire cables with the insulator being formed together. Applicant also notes that the Bogner '926 reference also fails to disclose the combined multitude bundles of cable wires each having different characteristic from one another in at least two bundles. Applicant has reviewed the Voser '012 reference and the Voser '012 reference does not disclose the two bundles having different characteristics. Specifically, as one can note from Figures 1-6 of the Voser '012 reference, all of the double bundle wires have same characteristics relative to one another. Therefore, neither the Bogner '926 reference nor the Voser '012 reference disclose nor suggest the present invention as claimed. Furthermore, there is no suggestion or motivation to use the teachings of the references to provide the present invention as claimed.

As the prior art references of the Bogner '926 reference and the Flick '300 reference and the Voser '012 reference fail to suggest the combination of features as claimed, Applicant respectfully requests that the Examiner reconsider the claims as now amended and favorably consider the claims in view of the discussion above.

At this time, Applicant respectfully solicits allowance of this application. It is Applicant's position that all claims are now allowable. Should the Examiner determine that issues remain that have not been resolved by this response, the Examiner is requested to contact Applicant's representative at the number listed below.

Favorable action is requested.

Respectfully submitted
for Applicant,

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